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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/541,106	06/30/2005	Omar D. Tame	19365-098425	4298
28886	7590 05/25/2006	EXAMINER		INER
CLARK HILL, P.C.			WHITE, RODN	EY BARNETT
500 WOODWARD AVENUE, SUITE 3500 DETROIT, MI 48226		3500	ART UNIT	PAPER NUMBER
			3636	

DATE MAILED: 05/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)			
	10/541,106	TAME, OMAR D.			
Office Action Summary	Examiner	Art Unit			
	Rodney B. White	3636			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply					
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DATE of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. If NO period for reply is specified above, the maximum statutory period was realized to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tim vill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	I. nely filed the mailing date of this communication. D (35 U.S.C. § 133).			
Status					
•	Responsive to communication(s) filed on 30 June 2005.				
,	·				
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.					
Disposition of Claims					
4) ⊠ Claim(s) <u>1-29</u> is/are pending in the application. 4a) Of the above claim(s) is/are withdraw 5) □ Claim(s) is/are allowed. 6) ⊠ Claim(s) <u>1-15,17-21 and 23-29</u> is/are rejected. 7) ⊠ Claim(s) <u>16 and 22</u> is/are objected to. 8) □ Claim(s) are subject to restriction and/or	vn from consideration.				
Application Papers	·				
9) The specification is objected to by the Examine 10) The drawing(s) filed on is/are: a) access applicant may not request that any objection to the Replacement drawing sheet(s) including the correct 11) The oath or declaration is objected to by the Examine	epted or b) objected to by the bedrawing(s) be held in abeyance. See ion is required if the drawing(s) is obj	e 37 CFR 1.85(a). lected to. See 37 CFR 1.121(d).			
Priority under 35 U.S.C. § 119					
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 					
Attachment(s) 1) Notice of References Cited (PTO-892)	4) 🔲 Interview Summary				
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 	Paper No(s)/Mail Da 5) Notice of Informal P 6) Other:	ate latent Application (PTO-152)			

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement filed 06/30/2005 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, and all of the U.S. Patents and U.S. Patent Application Publications have been considered but European patent EP 1 195 115 referred to therein has not been considered because no copy of that foreign reference was supplied with the IDS.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 25-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 25, line 2, "the at least one pin" lacks antecedent basis. In claim 25, which depends from claim 24, Applicant defines "wherein cam driver includes at least one arm extending radially outward for engaging the at least one pin." However, the "at

least one pin" was first defined in or claimed in claim 23. it appears the dependency of claim 25 should be changed to depend from claim 23.

The aforementioned problems render the claims vague and indefinite.

Clarification and/or correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000.

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Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-2, 4-12, 14-15, 19-20, 24, and 28-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Letournoux et al (U.S. Patent No. 4,348,050).

Letournoux et al teaches a recliner assembly for use with a seat having a seat cushion and a seat back pivotal between a plurality of reclined positions with respect to the seat cushion, the recliner assembly comprising: a fixed plate 4 adapted to be secured to the seat cushion; a mobile plate 1 adapted to be secured to the seat back, the mobile plate coupled to the fixed plate for providing pivotal movement of the seat back through the plurality of reclined positions, the mobile plate including an annular rim defining an axis and a plurality of teeth 3 extending along the annular rim; a plurality of sectors having a rack of teeth coupled between the fixed and mobile plates, the sector movable between a locked condition having the rack of teeth engaged with the plurality of teeth of the mobile plate for maintaining the seat back in any of the plurality of reclined positions and an unlocked condition having the rack of teeth disengaged from the plurality of teeth of the mobile plate for allowing selective adjustment of the seat back relative to the seat cushion; and a cam 8 extending about the axis and selectively engageable with the sector and rotatably supported between the fixed and mobile plates for moving the sector between the locked and unlocked conditions in response to rotation of the cam, the cam radially movable relative to the sector for preventing binding of the sector during movement between the locked and unlocked conditions

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(see column 3, lines 1-6), wherein the fixed plate includes wedge surfaces formed thereon for engaging and guiding at least one sector between the locked and unlocked conditions, wherein the plurality of sectors are offset relative to each other about the axis, wherein the rack of teeth of one of the plurality of sectors is fully engaged with the plurality of teeth on the mobile plate and the rack of teeth of the other of the plurality of sectors are partially engaged with the plurality of teeth on the mobile plate in the locked condition, wherein the rack of teeth of each of the plurality of sectors is partially engaged with the plurality of teeth on the mobile plate in the locked condition, wherein the partially engaged sector is self-adjusting, wherein the plurality of partially engaged sectors are self-adjusting, wherein the rack of teeth of the at least one sector extends between ends of the sector and where individual teeth at the ends of the sector are shorter radially compared to adjacent teeth between the ends of the rack of teeth, wherein the at least one sector includes a stepped cam surface formed opposite the rack of teeth, wherein the stepped cam surface defines a raised portion and a recess separated by a ramped surface just as much the present invention is, the recliner assembly including a shaft having first and second ends defining a shaft axis, wherein at least one of the first or second ends extends though an aperture formed in at least one of the mobile or fixed plates for rotation of the shaft about the shaft axis, wherein the cam is secured to the second end of the shaft. (See Fig. 1).

Claims 1-2, 4-12, 14-15, 19-20, 24, and 28-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Pipon et al (U.S. Patent No. 4,770,464).

Pipon et al teaches a recliner assembly for use with a seat having a seat cushion and a seat back pivotal between a plurality of reclined positions with respect to the seat cushion, the recliner assembly comprising: a fixed plate adapted to be secured to the seat cushion; a mobile plate adapted to be secured to the seat back, the mobile plate coupled to the fixed plate for providing pivotal movement of the seat back through the plurality of reclined positions, the mobile plate including an annular rim defining an axis and a plurality of teeth extending along the annular rim; a plurality of sectors having a rack of teeth coupled between the fixed and mobile plates, the sector movable between a locked condition having the rack of teeth engaged with the plurality of teeth of the mobile plate for maintaining the seat back in any of the plurality of reclined positions and an unlocked condition having the rack of teeth disengaged from the plurality of teeth of the mobile plate for allowing selective adjustment of the seat back relative to the seat cushion; and a cam 26 extending about the axis and selectively engageable with the sector and rotatably supported between the fixed and mobile plates for moving the sector between the locked and unlocked conditions in response to rotation of the cam, the cam radially movable relative to the sector for preventing binding of the sector during movement between the locked and unlocked conditions, wherein the fixed plate includes wedge surfaces formed thereon for engaging and guiding at least one sector between the locked and unlocked conditions, wherein the plurality of sectors are offset relative to each other about the axis, wherein the rack of teeth of one of the plurality of sectors is fully engaged with the plurality of teeth on the mobile plate and the rack of teeth of the other of the plurality of sectors are partially engaged with the plurality of

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teeth on the mobile plate in the locked condition, wherein the rack of teeth of each of the plurality of sectors is partially engaged with the plurality of teeth on the mobile plate in the locked condition, wherein the partially engaged sector is self-adjusting, wherein the plurality of partially engaged sectors are self-adjusting, wherein the rack of teeth of the at least one sector extends between ends of the sector and where individual teeth at the ends of the sector are shorter radially compared to adjacent teeth between the ends of the rack of teeth, wherein the at least one sector includes a stepped cam surface formed opposite the rack of teeth, wherein the stepped cam surface defines a raised portion and a recess separated by a ramped surface (see Fig. 7), the recliner assembly including a shaft having first and second ends defining a shaft axis, wherein at least one of the first or second ends extends though an aperture formed in at least one of the mobile or fixed plates for rotation of the shaft about the shaft axis, wherein the cam is secured to the second end of the shaft (see Figures 1-7).

Claims 1-12, 14-15, 19-20, 23-26, and 28-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Kojima et al (U.S. Patent No. 6,007,152).

Kojima et al teaches a recliner assembly for use with a seat having a seat cushion and a seat back pivotal between a plurality of reclined positions with respect to the seat cushion, the recliner assembly comprising: a fixed plate 1 adapted to be secured to the seat cushion; a mobile plate 2 adapted to be secured to the seat back, the mobile plate coupled to the fixed plate for providing pivotal movement of the seat back through the plurality of reclined positions, the mobile plate including an annular rim

defining an axis and a plurality of teeth extending along the annular rim; a plurality of sectors 5A-5C having a rack of teeth coupled between the fixed and mobile plates, the sector movable between a locked condition having the rack of teeth engaged with the plurality of teeth of the mobile plate for maintaining the seat back in any of the plurality of reclined positions and an unlocked condition having the rack of teeth disengaged from the plurality of teeth of the mobile plate for allowing selective adjustment of the seat back relative to the seat cushion; and a cam 6 extending about the axis and selectively engageable with the sector and rotatably supported between the fixed and mobile plates for moving the sector between the locked and unlocked conditions in response to rotation of the cam, the cam radially movable relative to the sector for preventing binding of the sector during movement between the locked and unlocked conditions, wherein the fixed plate includes wedge surfaces 11 formed thereon for engaging and guiding at least one sector between the locked and unlocked conditions, wherein the fixed plate includes at least one pin protruding therefrom and extending through a slot formed in the at least one sector for guiding movement of the sector between the locked and unlocked conditions (See Figures 3 and 5) wherein the plurality of sectors are offset relative to each other about the axis, wherein the rack of teeth of one of the plurality of sectors is fully engaged with the plurality of teeth on the mobile plate and the rack of teeth of the other of the plurality of sectors are partially engaged with the plurality of teeth on the mobile plate in the locked condition, wherein the rack of teeth of each of the plurality of sectors is partially engaged with the plurality of teeth on the mobile plate in the locked condition, wherein the partially engaged sector is selfadjusting, wherein the plurality of partially engaged sectors are self-adjusting, wherein the rack of teeth of the at least one sector extends between ends of the sector and where individual teeth at the ends of the sector are shorter radially compared to adjacent teeth between the ends of the rack of teeth, wherein the at least one sector includes a stepped cam surface formed opposite the rack of teeth, wherein the stepped cam surface defines a raised portion and a recess separated by a ramped surface just as much the present invention is (see Fig. 5), the recliner assembly including a shaft having first and second ends defining a shaft axis, wherein at least one of the first or second ends extends though an aperture formed in at least one of the mobile or fixed plates for rotation of the shaft about the shaft axis, wherein the cam is secured to the second end of the shaft, wherein the cam driver includes at least one arm extending radially outward for engaging the at least one pin, wherein the at least one arm engages the at least one pin during rotation of the shaft in the unlocking direction for rotating the cam (see Figures 1-5).

Claims 1-12, 14-15, 19-21, 23-26, and 28-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Kojima et al (U.S. Patent No. 6,092,874).

Kojima et al teaches a recliner assembly for use with a seat having a seat cushion and a seat back pivotal between a plurality of reclined positions with respect to the seat cushion, the recliner assembly comprising: a fixed plate 1 adapted to be secured to the seat cushion; a mobile plate 2 adapted to be secured to the seat back, the mobile plate coupled to the fixed plate for providing pivotal movement of the seat

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back through the plurality of reclined positions, the mobile plate including an annular rim defining an axis and a plurality of teeth extending along the annular rim; a plurality of sectors 5A-5C having a rack of teeth coupled between the fixed and mobile plates, the sector movable between a locked condition having the rack of teeth engaged with the plurality of teeth of the mobile plate for maintaining the seat back in any of the plurality of reclined positions and an unlocked condition having the rack of teeth disengaged from the plurality of teeth of the mobile plate for allowing selective adjustment of the seat back relative to the seat cushion; and a cam 6 extending about the axis and selectively engageable with the sector and rotatably supported between the fixed and mobile plates for moving the sector between the locked and unlocked conditions in response to rotation of the cam, the cam radially movable relative to the sector for preventing binding of the sector during movement between the locked and unlocked conditions, wherein the fixed plate includes wedge surfaces 11 formed thereon for engaging and guiding at least one sector between the locked and unlocked conditions, wherein the fixed plate includes at least one pin protruding therefrom and extending through a slot formed in the at least one sector for guiding movement of the sector between the locked and unlocked conditions (See Figures 3 and 5) wherein the plurality of sectors are offset relative to each other about the axis, wherein the rack of teeth of one of the plurality of sectors is fully engaged with the plurality of teeth on the mobile plate and the rack of teeth of the other of the plurality of sectors are partially engaged with the plurality of teeth on the mobile plate in the locked condition, wherein the rack of teeth of each of the plurality of sectors is partially engaged with the plurality of teeth on

the mobile plate in the locked condition, wherein the partially engaged sector is selfadjusting, wherein the plurality of partially engaged sectors are self-adjusting, wherein the rack of teeth of the at least one sector extends between ends of the sector and where individual teeth at the ends of the sector are shorter radially compared to adjacent teeth between the ends of the rack of teeth, wherein the at least one sector includes a stepped cam surface formed opposite the rack of teeth, wherein the stepped cam surface defines a raised portion and a recess separated by a ramped surface just as much the present invention is (see Fig. 5), the recliner assembly including a shaft having first and second ends defining a shaft axis, wherein at least one of the first or second ends extends though an aperture formed in at least one of the mobile or fixed plates for rotation of the shaft about the shaft axis, wherein the cam is secured to the second end of the shaft, wherein the cam driver includes at least one arm extending radially outward for engaging the at least one pin, wherein the at least one arm engages the at least one pin during rotation of the shaft in the unlocking direction for rotating the cam (See Figures 1-5).

Claims 1-12, 14-15, 19-21, 23-26, and 28-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Moriyama et al (U.S. Patent No. 6,669,296 B2).

Moriyama et al teaches a recliner assembly for use with a seat having a seat cushion and a seat back pivotal between a plurality of reclined positions with respect to the seat cushion, the recliner assembly comprising: a fixed plate 1 adapted to be secured to the seat cushion; a mobile plate 2 adapted to be secured to the seat back,

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the mobile plate coupled to the fixed plate for providing pivotal movement of the seat back through the plurality of reclined positions, the mobile plate including an annular rim defining an axis and a plurality of teeth extending along the annular rim; a plurality of sectors 60 having a rack of teeth coupled between the fixed and mobile plates, the sector movable between a locked condition having the rack of teeth engaged with the plurality of teeth of the mobile plate for maintaining the seat back in any of the plurality of reclined positions and an unlocked condition having the rack of teeth disengaged from the plurality of teeth of the mobile plate for allowing selective adjustment of the seat back relative to the seat cushion; and a cam 40 extending about the axis and selectively engageable with the sector and rotatably supported between the fixed and mobile plates for moving the sector between the locked and unlocked conditions in response to rotation of the cam, the cam radially movable relative to the sector for preventing binding of the sector during movement between the locked and unlocked conditions, wherein the fixed plate includes wedge surfaces 12 formed thereon for engaging and guiding at least one sector between the locked and unlocked conditions, wherein the fixed plate includes at least one pin protruding therefrom and extending through a slot 56,66 formed in the at least one sector for guiding movement of the sector between the locked and unlocked conditions wherein the plurality of sectors are offset relative to each other about the axis, wherein the rack of teeth of one of the plurality of sectors is fully engaged with the plurality of teeth on the mobile plate and the rack of teeth of the other of the plurality of sectors are partially engaged with the plurality of teeth on the mobile plate in the locked condition, wherein the rack of teeth of

each of the plurality of sectors is partially engaged with the plurality of teeth on the mobile plate in the locked condition, wherein the partially engaged sector is selfadjusting, wherein the plurality of partially engaged sectors are self-adjusting, wherein the rack of teeth of the at least one sector extends between ends of the sector and where individual teeth at the ends of the sector are shorter radially compared to adjacent teeth between the ends of the rack of teeth, wherein the at least one sector includes a stepped cam surface formed opposite the rack of teeth, wherein the stepped cam surface defines a raised portion and a recess separated by a ramped surface just as much the present invention is (see Fig. 1), the recliner assembly including a shaft having first and second ends defining a shaft axis, wherein at least one of the first or second ends extends though an aperture formed in at least one of the mobile or fixed plates for rotation of the shaft about the shaft axis, wherein the cam is secured to the second end of the shaft, wherein the cam driver includes at least one arm extending radially outward for engaging the at least one pin, wherein the at least one arm engages the at least one pin during rotation of the shaft in the unlocking direction for rotating the cam (see Figures 1-6).

Claims 1-2, 4-15, 17-21, 24, and 27-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Lange (U.S. Patent No. 6,676,217 B2).

Lange teaches a recliner assembly for use with a seat having a seat cushion and a seat back pivotal between a plurality of reclined positions with respect to the seat cushion, the recliner assembly comprising: a fixed plate adapted to be secured to the

seat cushion; a mobile plate adapted to be secured to the seat back, the mobile plate coupled to the fixed plate for providing pivotal movement of the seat back through the plurality of reclined positions, the mobile plate including an annular rim defining an axis and a plurality of teeth extending along the annular rim; a plurality of sectors 4 having a rack of teeth coupled between the fixed and mobile plates, the sector movable between a locked condition having the rack of teeth engaged with the plurality of teeth of the mobile plate for maintaining the seat back in any of the plurality of reclined positions and an unlocked condition having the rack of teeth disengaged from the plurality of teeth of the mobile plate for allowing selective adjustment of the seat back relative to the seat cushion; and a cam 5 extending about the axis and selectively engageable with the sector and rotatably supported between the fixed and mobile plates for moving the sector between the locked and unlocked conditions in response to rotation of the cam, the cam radially movable relative to the sector for preventing binding of the sector during movement between the locked and unlocked conditions, wherein the fixed plate includes wedge surfaces 2b formed thereon for engaging and guiding at least one sector between the locked and unlocked conditions, wherein the plurality of sectors are offset relative to each other about the axis, wherein the rack of teeth of one of the plurality of sectors is fully engaged with the plurality of teeth on the mobile plate and the rack of teeth of the other of the plurality of sectors are partially engaged with the plurality of teeth on the mobile plate in the locked condition, wherein the rack of teeth of each of the plurality of sectors is partially engaged with the plurality of teeth on the mobile plate in the locked condition, wherein the partially engaged sector is selfApplication/Control Number: 10/541,106 Page 15

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adjusting, wherein the plurality of partially engaged sectors are self-adjusting, wherein the rack of teeth of the at least one sector extends between ends of the sector and where individual teeth at the ends of the sector are shorter radially compared to adjacent teeth between the ends of the rack of teeth, wherein the at least one sector includes a stepped cam surface formed opposite the rack of teeth, wherein the stepped cam surface defines a raised portion and a recess separated by a ramped surface, wherein the at least one sector includes a bent arm extending outward from the at least one sector wherein the recess extends between the bent arm and the ramped surface(See Figures 1-5 and especially Fig. 5 for a larger view of the sectors), the recliner assembly including a shaft having first and second ends defining a shaft axis, wherein at least one of the first or second ends extends though an aperture formed in at least one of the mobile or fixed plates for rotation of the shaft about the shaft axis, wherein the cam includes arms extending outwardly for engaging the bent arm of the at least one sector, wherein arms engage the raised portion of the stepped cam surface for maintaining the at least one sector in the locked condition, wherein the cam is secured to the second end of the shaft (see Figures 1-4).

Claims 16 and 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Cilliere et al, Baloche, Benoit et al, Ganot, Asano, Rohee et al, Rohee et al, Ikegaya, Reubeuze et al, Kojima et al, Urmaichi, Ikegaya et al, Matsura et al, Pollack, Peters, Hosokawa, and Peters, teach reclining assemblies similar to the present invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney B. White whose telephone number is (571) 272-6863. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on (571) 272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Rodney B. White, Patent Examiner Art Unit 3636 May 22, 2006

RODNEY B. WHITE FRIMARY EXAMINER